

BOOK 263 PAGE 267

STATE MS.-DESOTO CO. 22  
FILED

OCT 19 12 33 PM '93

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, default was made in the performance of the conditions and stipulations as set out by that certain Deed of Trust from <sup>BK 263 PG 267</sup> ~~W.E. DAVIS CH. CLK.~~ *W.E. DAVIS CH. CLK.* RANDAL HOLLAND and wife, KIMBERLIE ELLEN HOLLAND, to R. Conner McAllister, Trustee for Bailey Mortgage Company, under date of November 16, 1989, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi, in Book 491 at Page 619; and

WHEREAS, on November 16, 1989, said deed of trust was assigned to Security Savings and Loan Association in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 501 at Page 168; and

WHEREAS, on November 30, 1990, said deed of trust was assigned to The South Carolina National Bank in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 631 at Page 451; and

WHEREAS, on July 9, 1992, said Deed of Trust was assigned to Wachovia Mortgage Company in that certain corrected assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 642 at Page 798; and

WHEREAS, the default continued for more than thirty (30) days; and

WHEREAS, William R. Barnett was appointed Substitute Trustee in the Deed of Trust aforementioned by instrument executed on June 1, 1993, and recorded in the office of the Chancery Clerk aforesaid in Book 642 at Page 799, wherein said Substitute Trustee has all

rights, powers and privileges of the original Trustee named in said Deed of Trust, which Substitute Trustee appointment was placed of record in the office of the Chancery Clerk aforesaid prior to commencement of the hereinafter mentioned publication; and

WHEREAS, having been requested to do so by the Beneficiary, Wachovia Mortgage Company, of said Deed of Trust, I, William R. Barnett, Substitute Trustee, did make demand of the said Mark Randal Holland and wife, Kimberlie Ellen Holland, and did advertise the hereinafter described property for sale in the DeSoto Times, a newspaper of general circulation in DeSoto County, Mississippi, on September 23, 1993, September 30, 1993, October 7, 1993 and October 14, 1993; which is more fully shown by the original proof of publication which is hereto attached as Exhibit A to the Deed and made a part hereof, as if copied fully herein in both words and figures, and by posting on the bulletin board of the Courthouse of DeSoto County, in Hernando, Mississippi, strictly as required by law, and by the terms of the Deed of Trust aforesaid, which is more fully shown by the original certificate attached hereto setting forth an exact copy of the notice so posted and showing the date of posting; said Notice hereto attached as Exhibit B to the Deed and made a part hereof, as if copied fully herein in both words and figures; and

WHEREAS, the Substitute Trustee's Notice of Sale, in accordance with the heretofore mentioned Deed of Trust, provided that the said property would be sold on the 19th day of October, 1993, between the hours of 11:00 A.M. and 4:00 P.M., in front of

the East Front Door of the Courthouse for DeSoto County, Mississippi, at Hernando, Mississippi, and I did offer for sale the following described property lying and being situated in DeSoto County, Mississippi, to-wit:

Lot 2097, Section K, First Revision of First Addition, Greenbrook Subdivision, in Section 19, Township 1 South, Range 7 West, in the City of Southaven, DeSoto County, Mississippi, as shown by the plat appearing of record in Plat Book 25, Page 37, in the office of the Chancery Clerk of DeSoto County, Mississippi.

WHEREAS, Wachovia Mortgage Company did appear and make the highest and best bid; and

WHEREAS, I did strike off the said property to the said Wachovia Mortgage Company; and

NOW THEREFORE, in consideration of the sum of \$ 83,798.46, cash in hand paid, receipt of which is hereby acknowledged, I, WILLIAM R. BARNETT, Substitute Trustee, of 503 South State Street, Jackson, Mississippi 39201, Telephone No.: (601) 354-8627, do sell and convey unto WACHOVIA MORTGAGE COMPANY of Post Office Box 3174, Winston-Salem, North Carolina 27102; Telephone No.: 1-800-334-1221, the above described land and property situated in DeSoto County, Mississippi.

Title to said property is believed to be good, but I convey only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this the 19<sup>th</sup> day of October, 1993.

*William R. Barnett*

WILLIAM R. BARNETT,  
Substitute Trustee

STATE OF MISSISSIPPI

COUNTY OF DESOTO

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority, the within named WILLIAM R. BARNETT, who, after being first duly sworn, states on oath that he signed and delivered the above and foregoing Substitute Trustee's Deed on the day and year mentioned therein and that he does not have a financial or beneficial interest, either direct or indirect, in WACHOVIA MORTGAGE COMPANY.

GIVEN UNDER MY HAND AND SEAL on this the 19th day of October, 1993.

W. E. Davis, Chancery Clerk  
NOTARY PUBLIC by N. Michael, Jr.

My Commission expires:

June 2, 1996

CERTIFICATE OF POSTING

I, WILLIAM R. BARNETT, do hereby certify on or before September 22, 1993, that I caused the Substitute Trustee's Notice of Sale of the property covered by the aforementioned Deed of Trust to be posted on the bulletin board located in the DeSoto County Courthouse at Hernando, Mississippi.

DATED, this the 19th day of October, 1993.

William R. Barnett  
WILLIAM R. BARNETT

WILLIAM R. BARNETT  
503 South State Street  
Jackson, Mississippi 39201  
(601) 354-8627  
MSB# 2053

**PROOF OF PUBLICATION**THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**PAM BURTON** personally appeared before me the undersigned authority in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times, a newspaper published in the Town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

Volume No. 98 on the 23 day of Sept, 19 93  
Volume No. 98 on the 30 day of Sept, 19 93  
Volume No. 98 on the 7 day of Oct, 19 93  
Volume No. 98 on the 14 day of Oct, 19 93  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Pam Burton, Clerk  
(TITLE)

Sworn to and subscribed before me, this the

14 day of Oct, 19 93

Cheryl L. Fitzgerald  
By Notary Public

My commission expires \_\_\_\_\_ Commission Expires March 17, 1997

A. Single first insertion of 463 words @ .08 \$ 37.44  
B. 3 subsequent insertions of 1404 words @ .05 \$ 70.20  
C. Making proof of publication and depositing to same \$ 1.00

TOTAL PUBLISHER'S FEE \$ 108.64

**SUBSTITUTE TRUSTEE'S  
NOTICE OF SALE**

WHEREAS, on November 16, 1989, MARK RANDAL HOLLAND and wife, KIMBERLIE ELLEN HOLLAND, executed a Deed of Trust to R. Conner McAllister, Trustee for Bailey Mortgage Company, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi, in Book 491 at Page 619; and

WHEREAS, on November 16, 1989, said deed of trust was assigned to Security Savings and Loan Association in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 501 at Page 168; and

WHEREAS, on November 30, 1990, said deed of trust was assigned to The South Carolina National Bank in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 631 at Page 451; and

WHEREAS, on July 9, 1992, said Deed of Trust was assigned to Wachovia Mortgage Company in that certain corrected assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 642 at Page 798; and

WHEREAS, William R. Barnett was appointed Substitute Trustee in the Deed of Trust aforementioned by instrument executed on June 1, 1993, and recorded in the office of the Chancery Clerk aforesaid in Book 642 at Page 799; and

WHEREAS, default having been made under the terms and conditions of said Deed of Trust, and the entire debt being secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said indebtedness, WACHOVIA MORTGAGE COMPANY, having requested the undersigned Substitute Trustee to execute the Substitute Trustee's Notice of Sale and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising the sum due thereunder, together with attorney's fee, Trustee's fee and expense of sale:

NOW, THEREFORE, I, William R. Barnett, Substitute Trustee in said Deed of Trust, will, on the 19th day of October, 1993, offer for sale at public outcry and sell within the legal hours (being the hours of 11:00 a.m. and 4:00 p.m.) in front of the East Front Door of the DeSoto County Courthouse for DeSoto County, Mississippi, at Hernando, Mississippi, to the highest and best bidder, for cash, the following described land and property lying and being situated in DeSoto County, Mississippi, to-wit:

Lot 2097, Section K, First Revision of First Addition, Greenbrook Subdivision, in Section 19, Township 1 South, Range 7 West, in the City of Southaven, DeSoto County, Mississippi, as shown by the plat appearing of record in Plat Book 25, Page 37, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Title is believed to be good, but I will only convey such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this the 13th day of September, 1993.

WILLIAM R. BARNETT  
SUBSTITUTE TRUSTEE  
Posted on or before: September 22, 1993  
Sept. 23, 30; Oct. 7, 14, 1993 468

## SUBSTITUTE TRUSTEE'S NOTICE OF SALE

SEP 15 11 04 AM '93

WHEREAS, on November 16, 1989, MARK RANDAL HOLLAND and wife, KIMBERLIE ELLEN HOLLAND, executed a Deed of Trust # BK 491 PG 619 ~~ETDARS~~ ~~COMER~~ McAllister, Trustee for Bailey Mortgage Company, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi, in Book 491 at Page 619; and

WHEREAS, on November 16, 1989, said deed of trust was assigned to Security Savings and Loan Association in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 501 at Page 168; and

WHEREAS, on November 30, 1990, said deed of trust was assigned to The South Carolina National Bank in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 631 at Page 451; and

WHEREAS, on July 9, 1992, said Deed of Trust was assigned to Wachovia Mortgage Company in that certain corrected assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 642 at Page 798; and

WHEREAS, William R. Barnett was appointed Substitute Trustee in the Deed of Trust aforementioned by instrument executed on June 1, 1993, and recorded in the office of the Chancery Clerk aforesaid in Book 642 at Page 799; and

WHEREAS, default having been made under the terms and conditions of said Deed of Trust, and the entire debt being secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said indebtedness, WACHOVIA MORTGAGE COMPANY, having requested the

undersigned Substitute Trustee to execute the Substitute Trustee's Notice of Sale and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising the sum due thereunder, together with attorney's fee, Trustee's fee and expense of sale;

NOW, THEREFORE, I, William R. Barnett, Substitute Trustee, in said Deed of Trust, will, on the 19th day of October, 1993, offer for sale at public outcry and sell within the legal hours (being the hours of 11:00 A.M. and 4:00 P.M.) in front of the East Front Door of the DeSoto County Courthouse for DeSoto County, Mississippi, at Hernando, Mississippi, to the highest and best bidder, for cash, the following described land and property lying and being situated in DeSoto County, Mississippi, to-wit:

Lot 2097, Section K, First Revision of First Addition, Greenbrook Subdivision, in Section 19, Township 1 South, Range 7 West, in the City of Southaven, DeSoto County, Mississippi, as shown by the plat appearing of record in Plat Book 25, Page 37, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Title is believed to be good, but I will only convey such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this the 13<sup>th</sup> day of September, 1993.



WILLIAM R. BARNETT  
SUBSTITUTE TRUSTEE

Posted on or before: September 22, 1993

Publication Dates:

September 23, 1993  
September 30, 1993  
October 7, 1993  
October 14, 1993